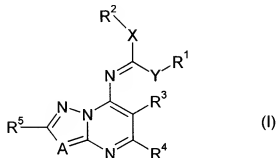


AMENDMENTS TO THE CLAIMS

1. (Original) An azolopyrimidine compound of the formula I



in which

A is N or C-R⁶;

X, Y independently of one another are a chemical bond or oxygen, sulfur or a group N-R⁷;

R¹, R² independently of one another are C₁-C₁₀-alkyl, C₂-C₁₀-alkenyl, C₄-C₁₀-alkadienyl, C₂-C₁₀-alkynyl, C₃-C₈-cycloalkyl, C₅-C₈-cycloalkenyl, C₅-C₁₀-bicycloalkyl, phenyl, phenyl-C₁-C₄-alkyl, naphthyl, naphthyl-C₁-C₄-alkyl, 5- or 6-membered saturated, partially unsaturated or aromatic heterocyclyl or heterocyclyl-C₁-C₄-alkyl which may in each case have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members, where some or all of the radicals mentioned as R¹, R² may be halogenated or may have 1, 2, 3 or 4 radicals R⁸, where

Y-R¹ and X-R² together with the carbon atom, to which they are attached, may also form a 5-, 6- or 7-membered saturated or unsaturated carbo- or heterocycle, where the latter may have 1, 2, 3 or 4 heteroatoms selected from the group consisting of O, S and N as ring members, where the carbo- and the heterocycle may be partially or fully halogenated or have 1, 2, 3 or 4 of the radicals R⁷ and/or R⁸; where

Y-R¹ and X-R² independently of one another may also be hydrogen, CN, NO₂ or halogen and where one of the radicals Y-R¹ and X-R² may also be OH, SH or NH₂;

R³ is C₁-C₁₀-alkyl, C₂-C₁₀-alkenyl, C₄-C₁₀-alkadienyl, C₂-C₁₀-alkynyl, C₃-C₈-cycloalkyl, C₅-C₈-cycloalkenyl, C₅-C₁₀-bicycloalkyl, phenyl, phenyl-C₁-C₄-alkyl, naphthyl, a 5- or 6-membered saturated, partially unsaturated or aromatic heterocycle which may have 1, 2 or 3 heteroatoms selected from the group consisting of N, O and S as ring members, where the radicals mentioned as R³ may be partially or fully halogenated or may have 1, 2, 3 or 4 radicals R⁹;

R⁴ is halogen, cyano, C₁-C₆-alkyl, C₁-C₆-haloalkyl, C₂-C₆-alkenyl, C₂-C₆-alkynyl, C₃-C₈-cycloalkyl, C₅-C₈-cycloalkenyl, OR¹⁰, SR¹⁰, NR¹¹R¹², CH₂NR¹¹R¹² or C(W)R¹³;

R⁵, R⁶ independently of one another are hydrogen, CN, NO₂, NH₂, CH₂NH₂, halogen, C(W)R¹³, C(=N-OR¹⁵)R¹⁴, NHC(W)R¹⁶, C₁-C₆-haloalkyl, C₁-C₄-alkyl or C₂-C₄-alkenyl;

R⁷ is hydrogen, C₁-C₆-alkyl, C₁-C₆-alkoxy, C₁-C₆-haloalkyl, C₁-C₆-haloalkoxy, C₂-C₆-alkenyl, C₂-C₆-alkenyloxy, CN or C(W)R¹⁷;

- R^8 is selected from the group consisting of halogen, cyano, nitro, OH, SH, $NR^{18}R^{19}$, C_1 - C_6 -alkyl, C_3 - C_8 -cycloalkyl, C_1 - C_6 -alkoxy, hydroxy- C_1 - C_6 -alkyl, hydroxy- C_1 - C_6 -alkoxy, C_1 - C_6 -alkoxy- C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy- C_1 - C_6 -alkoxy, C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy, C_1 - C_6 -alkylthio, C_2 - C_6 -alkenyl, C_2 - C_6 -alkenyloxy, C_2 - C_6 -alkynyl, C_2 - C_6 -alkynyloxy, C_1 - C_6 -alkylamino, $C(W)R^{13}$, $C(=N-OR^{15})R^{14}$, $NHC(W)R^{16}$, tris- C_1 - C_6 -alkylsilyl and phenyl which for its part may have 1, 2 or 3 radicals selected from the group consisting of cyano, nitro, halogen, OH, C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy, C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy and C_1 - C_6 -alkylthio;
- R^9 is halogen, cyano, NH_2 , NO_2 , C_1 - C_6 -alkyl, C_3 - C_8 -cycloalkyl, C_1 - C_6 -alkoxy, C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy, C_2 - C_6 -alkenyl, C_2 - C_6 -alkenyloxy, $C(W)R^{13}$, $C(=N-OR^{15})R^{14}$ or $NHC(W)R^{16}$;
- R^{10} is hydrogen, C_1 - C_6 -alkyl, C_1 - C_6 -haloalkyl, C_2 - C_6 -alkenyl or $C(W)R^{13}$;
- R^{11} , R^{12} independently of one another are hydrogen, C_1 - C_6 -alkyl, C_2 - C_6 -alkenyl, C_4 - C_6 -alkadienyl, C_2 - C_6 -alkynyl, C_3 - C_8 -cycloalkyl, C_5 - C_8 -cycloalkenyl, where the radicals mentioned as R^{11} , R^{12} may be partially or fully halogenated or have 1, 2, 3 or 4 radicals R^8 , where R^{11} may also be a group $C(W)R^{13}$ and where
- R^{11} , R^{12} together with the nitrogen atom, to which they are attached, may also form a 5-, 6- or 7-membered saturated or unsaturated heterocycle which may additionally have 1, 2 or 3 further heteroatoms selected from the group consisting of O, S and N as ring members, where the heterocycle may be partially or fully halogenated and/or may have 1, 2, 3 or 4 of the radicals R^8 ;
- R^{13} is hydrogen, OH, C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy, C_1 - C_6 -haloalkyl, C_1 - C_6 -haloalkoxy, C_2 - C_6 -alkenyl or $NR^{18}R^{19}$;

R^{14} , R^{15} independently of one another are hydrogen or C_1 - C_6 -alkyl;

R^{16} , R^{17} independently of one another are hydrogen, C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy, NH_2 , C_1 - C_6 -alkylamino or di- C_1 - C_6 -alkylamino;

R^{18} , R^{19} independently of one another have the meanings mentioned for R^{11} and R^{12} ;
and

W is oxygen or sulfur;

the tautomers of the compounds I and the agriculturally acceptable salts of the compounds I and their tautomers.

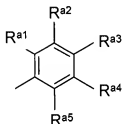
2. (Original) The compound of the formula I according to claim 1 in which at least one of the variables X or Y is a chemical bond.
3. (Original) The compound of the formula I according to claim 2 in which one of the groups $Y-R^1$ or $X-R^2$ is hydrogen or C_1 - C_4 -alkyl.
4. (Previously Presented) The compound of the formula I according to claim 1 in which both variables X and Y are a chemical bond.
5. (Original) The compound of the formula I according to claim 4 in which R^1 and R^2 independently of one another are selected from the group consisting of hydrogen, C_1 - C_{10} -alkyl, C_1 - C_{10} -haloalkyl, C_3 - C_{10} -alkenyl, C_3 - C_{10} -haloalkenyl, C_3 - C_8 -cycloalkyl, C_5 - C_8 -cycloalkenyl, C_3 - C_8 -cycloalkyl- C_1 - C_{10} -alkyl, C_3 - C_8 -cycloalkyl- C_2 - C_{10} -alkenyl, phenyl and benzyl, where the 6 lastmentioned radicals may also carry 1, 2, 3 or 4 substituents selected from the group consisting of halogen, C_1 - C_4 -alkyl, C_1 - C_4 -haloalkyl and C_1 - C_4 -alkoxy.

6. (Original) The compound of the formula I according to claim 4 in which one of the groups R^1 or R^2 is halogen.
7. (Original) The compound of the formula I according to claim 6 in which the remaining group R^1 or R^2 is hydrogen, C_1 - C_{10} -alkyl, C_1 - C_{10} -haloalkyl, C_3 - C_{10} -alkenyl, C_3 - C_{10} -haloalkenyl, C_3 - C_8 -cycloalkyl, C_5 - C_8 -cycloalkenyl, C_3 - C_8 -cycloalkyl- C_1 - C_{10} -alkyl, C_3 - C_8 -cycloalkyl- C_2 - C_{10} -alkenyl, phenyl or benzyl, where the 6 lastmentioned radicals may also carry 1, 2, 3 or 4 substituents selected from the group consisting of halogen, C_1 - C_4 -alkyl, C_1 - C_4 -haloalkyl and C_1 - C_4 -alkoxy.
8. (Currently amended) The compound of the formula I according to claim 1 in which the group $Y-R^1$ is a group $(NR^7)-R^1$, in which R^7 is as defined above and R^1 is C_1 - C_{10} -alkyl, C_2 - C_{10} -alkenyl, C_4 - C_{10} -alkadienyl, C_2 - C_{10} -alkynyl, C_3 - C_8 -cycloalkyl, C_5 - C_8 -cycloalkenyl, C_5 - C_{10} -bicycloalkyl, phenyl, phenyl- C_1 - C_4 -alkyl, naphthyl, naphthyl- C_1 - C_4 -alkyl and where the radicals mentioned as R^1 may be partially or fully halogenated and/or may have 1, 2, 3 or 4 radicals R^8 , or

 R^1 and $[[R^2]]R^7$ together with the nitrogen atom to which they are attached form a 5- or 6-membered saturated, partially unsaturated or aromatic N-heterocycle which may have one or two further heteroatoms selected from the group consisting of O, S and N as ring member and/or may have 1, 2, 3 or 4 radicals R^8 .
9. (Original) The compound of the formula I according to claim 8 in which X is a chemical bond and R^2 is hydrogen or C_1 - C_4 -alkyl.
10. (Previously Presented) The compound of the formula I according to claim 8 in which the group $(NR^7)R^1$ is C_1 - C_6 -alkylamino, di- C_1 - C_6 -alkylamino or a 5- or 6-membered saturated heterocyclyl which is attached via nitrogen, which optionally has a further heteroatom

selected from the group consisting of N, O and S as ring atom and which optionally carries, 1, 2, 3 or 4 substituents R^8 selected from the group consisting of halogen and C₁-C₄-alkyl.

11. (Previously Presented) The compound of the formula I according to claim 1 in which R^3 is a phenyl ring which has 1, 2, 3 or 4 radicals R^9 .
12. (Original) The compound of the formula I according to claim 11 in which R^3 is a group of the formula



in which

R^{a1} is fluorine, chlorine, trifluoromethyl or methyl;

R^{a2} is hydrogen, chlorine or fluorine;

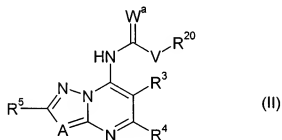
R^{a3} is hydrogen, CN, NO₂, fluorine, chlorine, C₁-C₄-alkyl, C₁-C₄-alkoxy or a group C(W) R^{13a} in which R^{13a} is C₁-C₄-alkoxy, NH₂, C₁-C₄-alkylamino or di-C₁-C₄-alkylamino;

R^{a4} is hydrogen, chlorine or fluorine;

R^{a5} is hydrogen, fluorine, chlorine or C₁-C₄-alkyl.

13. (Previously Presented) The compound of the formula I according to claim 1 in which R^4 is halogen, CN, methyl or methoxy.
14. (Original) The compound of the formula I according to claim 13 in which R^4 is halogen.

15. (Previously Presented) The compound of the formula I according to claim 1 in which R⁵ is hydrogen.
16. (Previously Presented) The compound of the formula I according to claim 1 in which A is N.
17. (Previously Presented) The compound according to claim 1 in the form of the tautomers of the formula II



in which A, R³, R⁴ and R⁵ have the meanings given above for formula I,

V is a chemical bond or is oxygen, sulfur or a group N-R⁷;

W^a is O, S or a group N-R²¹;

R²⁰ has one of the meanings given in formula I for R¹ or R²;

R²¹ has one of the meanings given in formula I for R¹ or R² or is hydrogen; and

if W^a is N-R²¹, V-R²⁰ and N-R²¹ together with the carbon atom, to which they are attached, may form a 5-, 6- or 7-membered unsaturated heterocycle, where the latter may have 1, 2, 3 or 4 heteroatoms selected from the group consisting of O, S and N as ring members, may be partially or fully halogenated or have 1, 2, 3 or 4 of the radicals R⁸ mentioned above.

18. (Previously Presented) The use of a compound of the formula I according to claim 1 or an agriculturally acceptable salt thereof for controlling phytopathogenic fungi.
19. (Previously Presented) A composition for controlling phytopathogenic fungi, which composition comprises at least one compound of the formula I according to claim 1 and/or an agriculturally acceptable salt of I and at least one liquid or solid carrier.
20. (Previously Presented) A method for controlling phytopathogenic fungi, which method comprises treating the fungi or the materials, plants, the soil or seeds to be protected against fungal attack with an effective amount of a compound of the formula I according to claim 1 and/or with an agriculturally acceptable salt of I.